

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

MAY 19 2015

ARNOLD LAMARR WEESE and DAVID  
KENT MOSS,

U.S. DISTRICT COURT  
ELKINS WV 26241

Plaintiffs,

v.

Civil Action No.: 2:13-cv-41-JPB

SAVICORP, INC., SERGE V. MONROS,  
and CRAIG WALDROP,

Defendants.

**DISMISSAL ORDER**

The Court has been advised by the parties that they have reached settlement of the claims existing between them. The parties have, furthermore, jointly requested entry of a dismissal order, providing for dismissal of all claims, but retention by the Court of jurisdiction to enforce the Settlement Agreement between the parties. The parties have advised the Court that the Settlement Agreement, previously approved by the Court (Dkt. No. 104), contains limited provisions as to future conduct. The provisions approved included a license provision as to which a dispute developed subsequent to the signing of the Settlement Agreement, which the parties have resolved by express agreement as to the requirements of the license Agreement. The parties have jointly requested that the Court should retain the power of enforcement of the Settlement Agreement, filed with the Court on April 6, 2015 (Dkt. No. 101) and approved by the Court on April 6, 2015 (Dkt. No. 104), including the subsequent express resolution of the disagreement as to the requirements of the license provisions of the Settlement Agreement.

The Court concludes that the request of the parties should be granted, and therefore does ORDER that this action, including all claims, be DISMISSED WITH PREJUDICE and retired from the docket of the Court. The Court retains jurisdiction to enforce the Settlement Agreement (Dkt. 101) between the parties, pursuant to the terms of the Settlement Agreement, as modified by the Parties subsequent agreement resolving the license dispute.

Pursuant to Fed.R.Civ.P. 58, the Court directs the Clerk of Court to enter a separate judgment order and to transmit copies of this Order to counsel of record.

Dated: 5-19-2015



JOHN PRESTON BAILEY  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on the 18<sup>th</sup> day of May , 2015, I filed the foregoing "Dismissal Order" with the Clerk of Court using the CM/ECF System which will send notification of such filing to the following:

Jeffrey A. Kimble, Esq.  
ROBINSON & MC ELWEE PLLC  
P.O. Box 128  
140 West Main Street, Suite 300  
Clarksburg, WV 26302-0128

George C. Miller (*Pro Hac Vice*)  
SHUSTAK & PARTNERS, P.C.  
401 West "A" Street, Suite 2330  
San Diego, CA 92101

In addition, on the 18<sup>th</sup> day of May, 2015, the foregoing document was served on Defendant Craig Waldrop, via e-mail at [cwaldrop@carolina.rr.com](mailto:cwaldrop@carolina.rr.com).

/s/ Gordon H. Copland

Gordon H. Copland  
[gordon.copland@steptoe-johnson.com](mailto:gordon.copland@steptoe-johnson.com)  
STEPTOE & JOHNSON PLLC  
400 White Oaks Boulevard  
Bridgeport, WV 26330  
(304) 933-8000